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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-6273-Cr-HUCK

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY TRENTACOSTA, et al.,

Defendants.

Government's Memorandum Regarding Tapes

And Statement of the Evidence

The United States of America, by and through the undersigned Assistant United States Attorneys hereby files its memorandum of law regarding the tape recordings and its statement of the evidence pursuant to Federal Rule of Appellate Procedure 10(c). In order to assist this Court in making its finding as to which tapes were played for the jury during the trial of the above-referenced case, a list of the tapes is contained herein with corresponding record cites showing the volume and page number where the tape was played for the jury.¹

¹ Record cites are from the record on appeal, but also include the date. Thus R19 is used for docket entry 535, the second trial day held on November 20, 2001.

629
17

On July 20, 2003, the Eleventh Circuit remanded this case to the district court in order for the district court to determine what tapes were played for the jury during trial. The Eleventh Circuit stated that “[t]o the extent that any of the tapes referenced by Appellee were played to the jury, such tapes should be part of the record on appeal.” The court remanded for the district court to determine “what tapes were played to the jury and when during trial they were played.”

The district court should make a finding that each of the tapes listed below was played to the jury at trial. In each case, the government has noted the record cite where each tape was played to the jury. The government has assembled the list using the prosecutors’ notes, recollection and the trial transcripts. In making its finding, the district court may use its recollections, its notes, the testimony of witnesses as well as other materials. See United States v. Preciado-Cordobas, 981 F.2d 1206, 1210-12 (11th Cir. 1993). In Preciado-Cordobas, the Eleventh Circuit remanded the matter to the district court directing it to reconstruct part of the record, which was effected without the participation of the trial judge who had passed away. Id. at 1209-10. Relying upon notes from the court reporter and the attorneys as well as testimony, the Court of Appeals found that the “record has been sufficiently recalled to enable review” of the error alleged on appeal. Id. at 1214.

The list below shows the tapes that were played to the jury and the government requests that the court make such a finding.

1. The following tapes and tape recorded transcript excerpts (hereinafter designated as "GX #², p. ____, line(s) ____ ") were played and read during the direct and re-direct examination of the below-listed witnesses along with the corresponding record citation:

A. Steven Horowitz

- | | | | |
|-----|-------------------|-----|------------------------|
| (1) | GX 516A, entirety | R22 | 11/27/01: pgs. 106-114 |
| (2) | GX 544A, entirety | R22 | 11/27/01: pgs. 114-123 |
| (3) | GX 566A, entirety | R22 | 11/27/01: pgs. 124-130 |
| (4) | GX 572A, entirety | R22 | 11/27/01: pgs. 130-133 |
| (5) | GX 614A, entirety | R22 | 11/27/01: pgs. 133-143 |

B. Adam Silverman

- | | | | |
|-----|---------------------|-----|------------------------|
| (1) | GX 501A, entirety | R26 | 12/06/01: pg. 55 |
| (2) | GX 625A, entirety | R26 | 12/06/01: pgs. 59 - 60 |
| (3) | GX 517A, entirety | R26 | 12/06/01: pgs. 63 - 64 |
| (4) | GX 529A, entirety | R26 | 12/06/01: pgs. 75 - 77 |
| (5) | GX 530A, entirety | R26 | 12/06/01: pgs. 77 - 81 |
| (6) | GX 548A, pgs. 2 - 4 | R26 | 12/06/01: pgs. 93 - 95 |

² The letter following the government exhibit number, *i.e.*, GX 516A refers to the transcript of the tape recording which is GX 516. The only exceptions are GXs 585 and 593 where the tapes are 585B and 593B while the transcripts are 585B and 593C.

- (7) GX 568A, entirety R26 12/06/01: pgs. 95 - 96
- (8) GX 569A, entirety R26 12/06/01: pgs. 97 - 98
- (9) GX 570A, entirety R26 12/06/01: pg. 99
- (10) GX 581A, entirety R26 12/06/01: pg. 100
- (11) GX 585C, entirety R26 12/06/01: pgs. 103 - 104
- (12) GX 589A, entirety R26 12/06/01: pgs. 104 - 106
- (13) GX 590A, entirety R26 12/06/01: pg. 106
- (14) GX 591A, entirety R26 12/06/01: pgs. 107 - 108
- (15) GX 593C, entirety R26 12/06/01: pgs. 126 - 128
- (16) GX 600A, entirety R26 12/06/01: pgs. 129 - 131
- (17) GX 601A, entirety R26 12/06/01: pgs. 131 - 132
- (18) GX 602A, entirety R26 12/06/01: pg. 133

C. Francisco Valdes

- (1) GX 594A, entirety R26 12/06/01: pgs. 175 - 177
- (2) GX 595A, entirety R26 12/06/01: pg. 177
- (3) GX 547A, entirety R26 12/06/01: pgs. 183 - 184
- (4) GX 548A, p. 2 R27 12/07/01: pgs. 22 - 23
- (5) GX 552A, entirety R27 12/07/01: pg. 24

D. Tammy Bubel

- (1) GX 558, entirety R25 11/30/01: pg. 168-72

- (2) GX 548, p. 2 R25 11/30/01: pg. 174-75
- (3) GX 518A, entirety R26 12/06/01: pg. 6
- (4) GX 521A, entirety R26 12/06/01: pg. 7
- (5) GX 561A, entirety R26 12/06/01: pg. 9 - 10
- (6) GX 563A, entirety R26 12/06/01: pg. 11 - 12
- (7) GX 565A, entirety R26 12/06/01: pg. 13 - 14
- (8) GX 621A, entirety R26 12/06/01: pg. 15 - 17

E. Julius Bruce Chiusano

- (1) GX 562A, entirety R22 11/27/01: pg. 226

F. David Alwais

- (1) GX 633, entirety R21 11/26/01: pg. 30
- (2) GX 143, entirety R21 11/26/01: pg. 32 - 33
- (3) GX 144, entirety R21 11/26/01: pg. 33 - 34
- (4) GX 145, entirety R21 11/26/01: pg. 36 - 41
- (5) GX 146, entirety R21 11/26/01 pg. 44

G. Francis Ruggiero

- (1) GX 586, entirety R20 11/21/01: pg. 105
- (2) GX 587, entirety R20 11/21/01: pg. 107
- (3) GX 588, entirety R20 11/21/01: pg. 108
- (4) GX 604, entirety R20 11/21/01: pg. 109

- (5) GX 607, entirety R20 11/21/01: pg. 110
- (6) GX 617, entirety R20 11/21/01: pg. 110
- (7) GX 620, entirety R20 11/21/01: pg. 111
- (8) GX 622, entirety R20 11/21/01: pg. 112
- (9) GX 628, entirety R20 11/21/01: pg. 113

2. During the government's rebuttal closing argument on December 13, 2001, the government played tape recorded *excerpts* from government exhibits in evidence³ to rebut arguments raised by defense counsel during their respective closing arguments. The following is a list of the excerpts and record entries.

A. Rebuttal Closing

- (1) GX 544A, entirety R30 12/13/01: pg. 155
- (2) GX 588A, entirety R30 12/13/01: pg. 157
- (3) GX 614A, pg. 10-11 R30 12/13/01: pg. 157
- (4) GX 514A, entirety R30 12/13/01: pg. 164
- (5) GX 517A, pg. 3 R30 12/13/01: pg. 165
- (6) GX 518A, pg. 2 R30 12/13/01: pg. 167
- (7) GX 521A, pg. 2 R30 12/13/01: pg. 167

³ The excerpts were recorded on two separate tapes (hereinafter "summary tapes") in order to access the excerpts quickly and efficiently. Assistant United States Attorney Jeffrey H. Sloman reviewed the record, the summary tapes and his notes and can testify that these were the portions played to the jury during the rebuttal closing argument.

- | | | | |
|------|---------------------|-----|-----------------------|
| (8) | GX 526A, entirety | R30 | 12/13/01: pg. 168 |
| (9) | GX 527A, entirety | R30 | 12/13/01: pg. 168 |
| (10) | GX 529A, pgs. 2-3 | R30 | 12/13/01: pg. 171 |
| (11) | GX 530A, pgs. 2-3 | R30 | 12/13/01: pg. 171 |
| (12) | GX 532A, pg. 8 | R30 | 12/13/01: pg. 171 |
| (13) | GX 533A, entirety | R30 | 12/13/01: pg. 172 |
| (14) | GX 547A, entirety | R30 | 12/13/01: pg. 173 |
| (15) | GX 548A, pgs. 2-7 | R30 | 12/13/01: pg. 173 - 4 |
| (16) | GX 552A, entirety | R30 | 12/13/01: pg. 175 |
| (17) | GX 557A, entirety | R30 | 12/13/01: pg. 175 |
| (18) | GX 558A, entirety | R30 | 12/13/01: pg. 176 |
| (19) | GX 559A, pgs. 3 & 5 | R30 | 12/13/01: pg. 176 |
| (20) | GX 560A, pg. 4 | R30 | 12/13/01: pg. 177 |
| (21) | GX 567A, pg. 2 | R30 | 12/13/01: pg. 178 |
| (22) | GX 585A, pgs. 2-3 | R30 | 12/13/01: pg. 179 |
| (23) | GX 593A, pgs. 5 & 6 | R30 | 12/13/01: pg. 179 |
| (24) | GX 523A, pgs. 3 & 4 | R30 | 12/13/01: pg. 179 |

3. The following lists, with the corresponding record citation, where each tape was played in its entirety to the jury:

TAPE

PLAYED/PUBLISHED

GX 10 - 3/27/99

Tape recording /A. Hernandez &
Det. Ilarazza

Transcript read (R24:52-75)

GX 12A

Redacted 3/28/99

Taped Statement of A. Hernandez (R28:162-63)

GX 13A

Redacted 3/28/99

Transcript of taped statement of
A. Hernandez (R28:162)

GX 14- 4/1/99

Taped Statement of F. Massaro (R24:91, 96)

GX 15 - 4/1/99

(R24:91)

Transcript of taped statement of
F. Massaro

GX143 - 11/13/98

Recorded conversation between
Massaro & Alwais (R21:32-33)

GX144 - 11/16/98

(R21:33)

Recorded conversation between
Massaro & Alwais

GX145 - 12/4/98

(R21:30, 36)

Recorded conversation between
Massaro & Alwais

GX146 - 1/28/99 (R21:30, 44)
Recorded conversation between
Massaro & Alwais

GX501 (R19:139, 141)
CN: 58 PN: 7512 (R26:55)
Date: 3/19/99 Time: 12:33pm

GX502 - (R24:23)
CN: 68 PN: 7512 Date: 3/19/99
Time: 2:39pm
T-III tape recorded conversation

GX503 - Playing waived
CN: 69 PN: 7512 Date: 3/19/99
Time: 2:42pm (R24:23-24)
T-III tape recorded conversation

GX504 - (R24:24)
CN: 70 PN: 7512 Date: 3/19/99
Time: 2:49pm
T-III tape recorded conversation

GX505- (R24:24)
CN: 71 PN: 7512 Date: 3/19/99
Time: 2:49pm
T-III tape recorded conversation

GX506- (R24:24)
CN: 78 PN: 7512 Date: 3/19/99
Time: 3:07pm
T-III tape recorded conversation

GX507- (R24:25)
CN: 79 PN: 7512 Date: 3/19/99
Time: 3:12pm
T-III tape recorded conversation

GX508- (R24:185-86)

CN: 80 PN:7512 Date: 3/19/99
Time: 3:13pm
T-III tape recorded conversation

GX509- (R24:186)

CN: 88 PN: 7512 Date: 3/19/99
Time: 4:28pm
T-III tape recorded conversation

GX510- (R24:187)

CN: 262 PN: 2929 Date: 3/20/99
Time: 12:31am
T-III tape recorded conversation

GX511- (R24:187)

CN: 264 PN:2929 Date: 3/20/99
Time: 12/32am
T-III tape recorded conversation

GX512- (R21:74-75)
(R24:187-88)

CN: 23 PN: 3020 Date: 3/20/99
Time: 11:00am
T-III tape recorded conversation

GX513 (R24:188)

CN: 24 PN: 3020 Date: 3/20/99
Time: 11:51am
T-III tape recorded conversation

GX514- (R24:188-89)

CN: 102 PN:7512 Date: 3/20/99
Time: 3:43pm
T-III tape recorded conversation

GX515- (R24:22-23, 189)
CN: 293 PN: 2929 Date: 3/20/99
Time: 5:13pm
T-III tape recorded conversation

GX516- (R21:74-75)
CN: 109 PN: 7512 Date: 3/20/99
Time: 6:25pm
T-III tape recorded conversation

GX517- (R24:22-23, 189)
CN: 111 PN: 7512 Date: 3/20/99 (R26:63-64)
Time: 6:34pm
T-III tape recorded conversation

GX518- (R24:189)
CN: 316 PN: 2929 Date: 3/20/99
Time: 7:01pm
T-III tape recorded conversation

GX519- (R24:190)
CN: 112 PN: 7512 Date: 3/20/99
Time: 8:52pm
T-III tape recorded conversation

GX520 - (R24:190)
CN: 113 PN: 7512 Date: 3/20/99
Time: 9:02pm
T-III tape recorded conversation

GX521 - (R24:190)
CN: 114 PN: 7512 Date: 3/20/99
Time: 9:03pm
T-III tape recorded conversation

GX522- (R24:190-91)

CN: 115 PN: 7512 Date: 3/20/99
Time: 9:04pm
T-III tape recorded conversation

GX523- (R24:22-23, 191)

CN: 44 PN: 3020 Date: 3/20/99
Time: 10:42pm
T-III tape recorded conversation

GX524- (R25:133, 136) Stipulated that phone was
CN: 116 PN: 7512 Date: 3/20/99
Time: 10:52pm
T-III tape recorded conversation
a c t i v a t e d
(R25:133)

GX525- (R25:133-34, 136)

CN: 117 PN: 7512 Date: 3/20/99
Time: 10:53pm
T-III tape recorded conversation

GX526- (R25:133-34, 136)

CN: 45 PN: 3020 Date: 3/20/99
Time: 11:39pm
T-III tape recorded conversation

GX527- (R24:22-23, 191)
(R25:136)

CN: 46 PN: 3020 Date: 3/20/99
Time: 11:40pm
T-III tape recorded conversation

GX528 - (R25:133-136)

CN: 119 PN: 7512 Date: 3/21/99
Time: 1:49am
T-III tape recorded conversation

(R25:133, 135-36)

GX529-

CN: 124 PN: 7512 Date: 3/21/99

Time: 12:04pm

T-III tape recorded conversation

(R25:133, 135)

GX530-

CN: 373 PN: 2929 Date: 3/21/99

Time: 5:01pm

T-III tape recorded conversation

(R21:74-75)

GX531-

CN: 133 PN: 7512 Date: 3/21/99

Time: 7:48pm

T-III tape recorded conversation

(R21:46)

GX532-

CN: 139 PN: 7512 Date: 3/21/99

Time: 10:52pm

T-III tape recorded conversation

(R25:153)

GX533-

CN: 469 PN: 2929 Date: 3/22/99

Time: 12:56pm

T-III tape recorded conversation

(R25:153)

GX534-

CN: 474 PN: 2929 Date: 3/22/99

Time: 1:44pm

T-III tape recorded conversation

(R19:141)

GX535-

CN: 496 PN: 2929 Date: 3/22/99

Time: 4:02pm
T-III tape recorded conversation

(R19:141-42)

GX536-
CN: 532 PN: 2929 Date: 3/22/99
Time: 7:48pm
T-III tape recorded conversation

(R25:153)

GX537-
CN: 179 PN: 7512 Date: 3/23/99
Time: 10:51am
T-III tape recorded conversation

(R25:153-54)

GX538-
CN: 187 PN: 7512 Date: 3/23/99
Time: 12:01pm
T-III tape recorded conversation

(R25:153-54)

GX539-
CN: 196 PN: 7512 Date: 3/23/99
Time: 2:31pm
T-III tape recorded conversation

(R25:153-54)

GX540-
CN: 626 PN: 2929 Date: 3/23/99
Time: 10:59pm
T-III tape recorded conversation

(R25:154-55, 157)

GX541-
CN: 630 PN: 2929 Date: 3/24/99
Time: 1:07am
T-III tape recorded conversation

GX542- (R19:142)

CN: 218 PN: 7512 Date: 3/24/99

Time: 7:42pm

T-III tape recorded conversation

GX543- (R25:154-55, 157)

CN: 229 PN: 7512 Date: 3/25/99

Time: 12:42pm

T-III tape recorded conversation

GX544- (R21:74-76)

CN: 174 PN: 3020 Date: 3/25/99

Time: 1:38pm

T-III tape recorded conversation

GX545- (R25:154-55, 157)

CN: 817 PN: 2929 Date: 3/25/99

Time: 5:40pm

T-III tape recorded conversation

GX546- (R25:154-55, 157-58)

CN: 256 PN: 7512 Date: 3/26/99

Time: 1:27pm

T-III tape recorded conversation

GX547- (R25:154-55, 158)

CN: 958 PN: 2929 Date: 3/27/99

Time: 12:34am

T-III tape recorded conversation

GX548- (R25:154-55, 158)

CN: 275 PN: 7512 Date: 3/27/99

Time: 2:09am

T-III tape recorded conversation

GX549- (R25:154-55, 158)
CN: 200 PN: 3020 Date: 3/27/99
Time: 11:42am
T-III tape recorded conversation

GX550- (R25:154-55, 159)
CN: 201 PN: 3020 Date: 3/27/99
Time: 12:24pm
T-III tape recorded conversation

GX551- (R25:159)
CN: 280 PN: 7512 Date: 3/27/99
Time: 3:42pm
T-III tape recorded conversation

GX552- (R25:160)
CN: 287 PN: 7512 Date: 3/27/99
Time: 5:14pm
T-III tape recorded conversation

GX553- (R25:160)
CN: 288 PN: 7512 Date: 3/27/99
Time: 5:50pm
T-III tape recorded conversation

GX554- (R25:161)
CN: 291 PN: 7512 Date: 3/27/99
Time: 6:51pm
T-III tape recorded conversation

GX555- (R25:161)
CN: 296 PN: 7512 Date: 3/27/99
Time: 7:45pm

T-III tape recorded conversation

GX556- (R25:161)

CN: 299 PN: 7512 Date: 3/27/99

Time: 7:47pm

T-III tape recorded conversation

GX557- (R25:162)

CN: 1027 PN: 2929 Date: 3/27/99

Time: 8:53pm

T-III tape recorded conversation

GX558- (R25:162-63)

CN: 1082 PN: 2929 Date: 3/28/99

Time: 11:46pm

T-III tape recorded conversation

GX559- (R27:218-19)

CN: 1086 PN: 2929 Date: 3/29/99

Time: 2:22pm

T-III tape recorded conversation

GX560B- Redacted Tape (R27:218-19)

CN: 241 PN:3020 Date: 3/29/99

Time: 11:13am T-III tape recorded conversation

GX561- (R25:175)

CN: 1113 PN: 2929 Date: 3/29/99 (R26:9-10)

Time: 6:11pm

T-III tape recorded conversation

GX562- (R22:226)

CN: 1156 PN: 2929 Date: 3/30/99

Time: 12:06am
T-III tape recorded conversation

GX563- (R26:11)
CN: 322 PN: 7512 Date: 3/30/99
Time: 1:41am
T-III tape recorded conversation

GX565- (R26:13)
CN: 328 PN: 7512 Date: 3/30/99
Time: 4:43pm
T-III tape recorded conversation

GX566- (R21:74, 76)
CN: 59 PN: 7513 Date: 3/31/99
Time: 1:13pm
T-III tape recorded conversation

GX567- (R27:219)
CN: 331 PN: 3020 Date: 4/1/99
Time: 9:24pm
T-III tape recorded conversation

GX568- (R26:95-96)
CN: 351 PN: 7512 Date: 4/1/99
Time: 9:32am
T-III tape recorded conversation

GX569- (R26:97-98)
CN: 352 PN: 7512 Date: 4/1/99
Time: 11:59am
T-III tape recorded conversation

GX570- (R26:99)

CN: 353 PN: 7512 Date: 4/1/99
Time: 11:50am
T-III tape recorded conversation

GX571- (R21:74, 76)

CN: 104 PN: 7513 Date: 4/1/99
Time: 11:57am
T-III tape recorded conversation

GX572- (R22:130-32,177)

CN: 356 PN: 7512 Date: 4/1/99
Time: 12:44pm
T-III tape recorded conversation

GX574- (R21:74, 76)

CN: 106 PN: 7513 Date: 4/1/99
Time: 1:41pm
T-III tape recorded conversation

GX575- (R21:74, 77)

CN: 108 PN: 7513 Date: 4/1/99
Time: 1:55pm
T-III tape recorded conversation

GX578- (R27:220)

CN: 120 PN: 7513 Date: 4/1/99
Time: 5:23pm
T-III tape recorded conversation

GX579- (R27:220)

CN: 142 PN: 7513 Date: 4/2/99
Time: 4:47pm

GX581- (R26:100)

CN: 371 PN: 7512 Date: 4/2/99
Time: 7:43pm
T-III tape recorded conversation

GX582- (R27:220-21)

CN: 384 PN: 7512 Date: 4/3/99
Time: 5:55pm
T-III tape recorded conversation

GX583- (R19:142-43)

CN: 520 PN: 7512 Date: 4/13/99
Time: 11:32am
T-III tape recorded conversation

GX584- (R19:143)

CN: 2744 PN: 2929 Date: 4/20/99
Time: 11:45pm
T-III tape recorded conversation

GX585B- (R26:103)

Redacted Tape CN: 662 PN: 7512 Date: 4/21/99
Time 3:44 pm T-III tape recorded conversation

GX586- (R20:103, 105)

CN: 2826 PN: 2929 Date: 4/21/99
Time: 8:25pm
T-III tape recorded conversation

GX587- (R20:103, 107)

CN: 2834 PN: 2929 Date: 4/21/99
Time: 10:19pm
T-III tape recorded conversation

GX588- (R20:103, 108)
CN: 688 PN: 7512 Date: 4/21/99 (R21:74, 77)
Time: 10:27pm
T-III tape recorded conversation

GX589- (R26:104-05)
CN: 871 PN: 3020 Date: 4/22/99
Time: 7:16am
T-III tape recorded conversation

GX590- (R26:106)
CN: 873 PN: 3020 Date: 4/22/99
Time: 7:32am
T-III tape recorded conversation

GX591- (R26:107)
CN: 875 PN: 3020 Date: 4/22/99
Time: 8:07am

GX592- (R19:144)
CN: 2887 PN: 2929 Date: 4/22/99
Time: 6:59pm
T-III tape recorded conversation

GX593B- Redacted Tape (R26:126-27)

GX594- (R26:175-76)
CN: 762 PN: 7512 Date: 4/25/99
Time: 5:08pm
T-III tape recorded conversation

GX595- (R26:175, 177)
CN: 766 PN: 7512 Date: 4/25/99
Time: 5:27pm
T-III tape recorded conversation

GX596- (R28:152)
CN: 769 PN: 7512 Date: 4/25/99
Time: 8:49pm
T-III tape recorded conversation

GX597- (R28:152-53)
CN: 3306 PN: 2929 Date: 4/27/99
Time: 1:12pm
T-III tape recorded conversation

GX599- (R28:153)
CN: 1087 PN: 3020 Date: 4/27/99
Time: 1:15pm
T-III tape recorded conversation

GX600- (R26:129-30)
CN: 825 PN: 7512 Date: 4/27/99
Time: 1:32pm
T-III tape recorded conversation

GX601- (R26:129, 132)
CN: 828 PN: 7512 Date: 4/27/99
Time: 2:00pm
T-III tape recorded conversation

GX602- (R26:129, 133)

CN: 829 PN: 7512 Date: 4/27/99
Time: 2:09pm

GX603- (R19:144-45)
CN: 3394 PN: 2929 Date: 4/28/99
Time: 12:48am
T-III tape recorded conversation

GX604- (R20:103, 109)
CN: 3402 PN: 2929 Date: 4/28/99
Time: 12:12pm
T-III tape recorded conversation

GX605- (R19:145)
CN: 3447 PN: 2929 Date: 4/28/99 -
Time: 8:37pm
Time 3:44 pm T-III tape recorded
conversation

GX606- (R21:74, 77)
CN: 912 PN: 7512 Date: 4/29/99
Time: 10:00pm
T-III tape recorded conversation

GX607- (R20:103, 110)
CN: 915 PN: 7512 Date: 4/30/99
Time: 11:37am
T-III tape recorded conversation

GX608- (R19:145-46)
CN: 935 PN: 7512 Date: 4/30/99
Time: 4:26pm
T-III tape recorded conversation

GX609- (R21:74)
CN: 3621 PN: 2929 Date: 4/30/99 (R19:146)
Time: 10:13pm

GX610- (R28:153-54)
CN: 950 PN: 7512 Date: 5/1/99
Time: 12:27pm
T-III tape recorded conversation

GX611- (R28:154)
CN: 3783 PN: 2929 Date: 5/2/99
Time: 9:50pm
T-III tape recorded conversation

GX612- (R19:146)
CN: 3786 PN: 2929 Date: 5/2/99
Time: 9:56pm
T-III tape recorded conversation

GX613- (R28:155)
CN: 3866 PN: 2929 Date: 5/3/99 (R29:26)
Time: 10:11pm
T-III tape recorded conversation

GX614- (R21:74, 78)
CN: 1374 PN: 3020 Date: 5/5/99 (R19:147)
Time: 10:40am
T-III tape recorded conversation

GX615- (R21:74, 78)
CN: 3935 PN: 2929 Date: 5/5/99
Time: 11:00am
T-III tape recorded conversation

GX616- (R19:147)
CN: 4104 PN: 2929 Date: 5/7/99
Time: 12:32am
T-III tape recorded conversation

GX617- (R20:103, 110)
CN: 1432 PN: 3020 Date: 5/7/99
Time: 6:10pm
T-III tape recorded conversation

GX618- (R19:148)
CN: 4303 PN: 2929 Date: 5/9/99
Time: 6:42pm
T-III tape recorded conversation

GX620- (R20:103, 111)
CN: 1297 PN: 7512 Date: 5/14/99
Time: 9:58pm
T-III tape recorded conversation

GX621- (R26:15-16)
CN: 1299 PN: 7512 Date: 5/14/99
Time: 10:26pm
T-III tape recorded conversation

GX622- (R20:103, 112)
CN: 4751 PN: 2929 Date: 5/14/99
Time: 10:30pm
T-III tape recorded conversation

GX623- (R28:155)
CN: 1586 PN: 3020 Date: 5/15/99

Time: 10:48am
T-III tape recorded conversation

GX625- (R26:59-60)
CN: 1332 PN: 7512 Date: 5/17/99
Time: 1:04pm
T-III tape recorded conversation

GX626- (R19:148)
CN: 4968 PN: 2929 Date: 5/17/99
Time: 10:07pm
T-III tape recorded conversation

GX627- (R26:60-61)
CN: 1377 PN: 7512 Date: 5/19/99
Time: 5:31pm
T-III tape recorded conversation

GX628- (R20:113)
CN: 1411 PN: 7512 Date: 5/21/99
Time: 7:30pm
T-III tape recorded conversation

GX629- (R21:74, 78)
CN: 1424 PN: 7512 Date: 5/23/99
Time: 8:25pm
T-III tape recorded conversation

GX630- (R28:155-56)
CN: 7610 PN: 2929 Date: 6/15/99
Time: 8:00pm
T-III tape recorded conversation

GX631- (R28:156)

CN: 7618 PN: 2929 Date: 6/15/99

Time: 10:13pm

T-III tape recorded conversation

GX633- (R21:30)

Consensual recorded conversation Tape

Number 6BD dated 11/12/98

GX641 - (R28:157)

CN: 161 PN: 7512 Date: 3/22/99

Time: 3:40pm

T-III tape recorded conversation

GX642- (R28:157)

CN: 522 PN: 2929 Date: 3/22/99

Time: 6:51pm

T-III tape recorded conversation

GX643- (R29:27)

CN: 185 PN: 7512 Date: 3/23/99

Time: 11:40 am

T-III tape recorded conversation

GX644- (R28:160)

CN: 401 PN: 7512 Date: 4/5/99

Time: 3:27pm

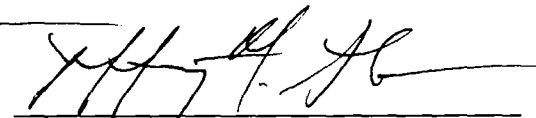
T-III tape recorded conversation

WHEREFORE the United States respectfully submits its list of the tape recordings played for the jury at trial along with the corresponding record cites.

Respectfully submitted,

Marcos Daniel Jiménez
United States Attorney

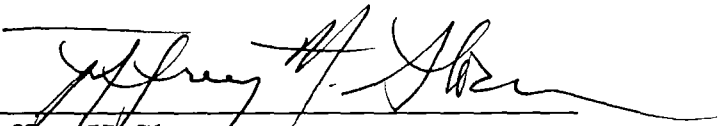
By: _____

A handwritten signature in black ink, appearing to read 'Jeffrey H. Sloman', written over a horizontal line.

Jeffrey H. Sloman
Assistant United States Attorney
500 East Broward Boulevard
7th Floor
Fort Lauderdale, Florida 33394
Tel. (954) 356-7255- ext. 3576
Facsimile (954) 356-7336

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by facsimile and U.S. mail this 2nd day of September, 2003, to: Fred Haddad, Esq., One Financial Plaza, Suite 2612, Fort Lauderdale, Florida 33394; Benedict P. Kuehne, Sale & Kuehne, P.A., 100 S.E. 2nd Street, Suite 3550, Miami, Florida 33131-2154; Stephen Rosen, Esq., 1221 Brickell Avenue, Suite 1020, Miami, Florida 33131; Richard L. Rosenbaum, 350 East Las Olas Boulevard, Suite 1700, Las Olas Centre II, Fort Lauderdale, Florida 33301; Donald F. Samuel, 3151 Maple Drive, N.E., Atlanta, Georgia 30305; and Jeffrey Weinkle, Esq., 1035 N.W. 11th Avenue, Miami, Florida 33136.



Jeffrey H. Sloman
Assistant United States Attorney